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*Attorney for Plaintiffs*

**UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF OREGON**  
**EUGENE DIVISION**

**CASCADIA WILDLANDS, THE  
CENTER FOR BIOLOGICAL  
DIVERSITY, and AUDUBON SOCIETY  
OF PORTLAND,**

Plaintiffs,

v.

**SCOTT TIMBER CO. and ROSEBURG  
FOREST PRODUCTS CO.,**

Defendants.

Case No.: 6:16-CV-01710-AA

**JOINT RULE 26(f) DISCOVERY  
PLAN**

Pursuant to the Court's Scheduling Order, ECF No. 54, the Parties respectfully submit the following Rule 26(f)(3) discovery plan:

- **FRCP 26(f)(3)(A):** The Parties have consented to expedited discovery and an informal dispute resolution process for this case, as outlined in the Parties' Stipulated Scheduling and Case Management Proposal, ECF No. 53 ¶¶ 6-9. Rule 26(a)(1) disclosures shall be exchanged February 19, 2018.

- ***FRCP 26(f)(3)(B)***: Unless otherwise agreed by the Parties, documents responsive to written Requests for Production shall be produced at the same time written discovery answers are due to the opposing Party. Discovery shall be completed by May 4, 2018, excepting special provisions for expert discovery outlined in the Parties' Stipulated Scheduling and Case Management Proposal, ECF No. 53 ¶¶ 8-9. At this time, anticipated discovery subjects include:
  - *For Defendants*: Facts concerning standing, Plaintiffs' observations and data regarding marbled murrelets, and other facts bearing on the merits of Plaintiffs' claims.
  - *For Plaintiffs*: Facts concerning Defendants' logging plans, post-logging plans, mitigation plans, surveys and related data from WEST, any other survey data on the site.
- ***FRCP 26(f)(3)(C)***: The Parties agree to preserve electronically stored information ("ESI"). ESI shall be produced in PDF format with Optical Character Recognition, unless otherwise agreed. Appropriate Bates numbering shall be added to each separate PDF page. At this time, the Parties do not anticipate any issues with disclosure of ESI.
- ***FRCP 26(f)(3)(D)***: The Parties do not foresee any issues with claims of privilege or protection of trial-preparation materials at this time. The Parties have agreed to produce privilege logs identifying "non-attorney" records that fall within the ambit of Fed. R. Civ. P. 26(b)(3)(A). The Parties have agreed not to produce privilege logs identifying bona fide attorney-client privileged communications or attorney work product materials such as drafts of litigation documents.

- **FRCP 26(f)(3)(E):** Presently, the Parties do not anticipate changes to the limitations to discovery outlined in the Federal Rules of Civil Procedure. The Parties agree to work in good faith to address any disputes about discovery limitations before bringing such matters to the Court's attention.
- **FRCP 26(f)(3)(F):** No protective orders are needed at this time but, should the need arise, the parties will promptly confer and, if necessary, notify the Court if any disputes arise that cannot be resolved by stipulation. No other changes to the standard trial schedule are contemplated beyond those identified in the Parties' Stipulated Scheduling and Case Management Proposal, ECF No. 53.

Jointly submitted this 19th day of February, 2018.

/s/ Daniel R. Kruse

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